

The Commentator

Mar 2004, Volume 12, Issues 1 - Page 1

Chairperson's Corner by Constance W. Maffin

The DC Board of Real Estate begins the 2004 New Year with an exciting agenda and the completion of several items that the board has been involved in for a long time.

First, I would like to welcome our newest board member, *Kenneth D. Smith* (property manager) of Berens Asset Management Company, Inc.; and welcome the return of *Edward D. Collier* (property manager) of Collier Real Estate, Inc. Their appointments bring the board to eight of the nine authorized members and provide us with expertise from all branches of the licensed and non-licensed fields. They will join long-time members *Helen Dodson* (vice chairperson and broker) and *Alton "Tony" Duncanson* (saleperson), both of Long and Foster Real Estate, Inc.; *Nelson Deckelbaum, Esq.* (attorney member) of Deckelbaum, Ogens, Reiser, Shedlock and Raftery; *Jackie Dorfmann* (broker) W.C. and A.N. Miller (broker) and *Bradley Lewis* (consumer member).

I am pleased to announce that a year-long effort to rewrite and simplify our real estate license regulations is in the final stages of completion. Many years ago, the law itself was revised under the auspices of the Control Board. That undertaking culminated in the finalization of the Non-Health Related Occupations and Professions Licensure Act of 1998. This awkwardly titled document was a compilation of laws for occupational and professional licenses that were not related to the health field; they included licensing categories such as real estate, accountants, interior design and the industrial trades. Much of the regulations – the body of the law that governs the day-to-day standards for our licensees – continue to remain outdated or obsolete.

The board took the opportunity to create what we believe will be a sensible legal document that can be used and understood by all licensees. The process of revamping the licensure law involved many hours of discussion, review, writing, and editing the regulations.

The end result will be regulations that are modern, current and void of obsolete references and text. Licensees will be notified through e-mail when the regulations will be published for comment. Once the 30-day commentary period has expired, the regulations will take effect. Notice of the rulemaking will also be put on the board's website (www.dkra.dc.gov). Copies of the revised regulations will be made available to all licensees.

We have been successful in reducing the backlog of complaints against licensees and bringing cases to completion. With the booming commercial and residential markets, we have seen an increase in allegations of illegal or unscrupulous behavior brought by both consumers and other licensees. Unfortunately, the use of our disciplinary powers to suspend, fine and ultimately revoke licensees have had to be used in several instances.

I believe that the board has made significant strides in the area of education also. The next renewal cycle contains some different emphasis for CE credits than previous years.

The three required courses reflect current national as well as local industry issues, including predatory and sub-prime lending, landlord-tenant/housing rights and environmental issues, particularly the new hot topic –mold. Of course, the board remains committed to fair housing and it remains a required course.

This year, the board is proud to co-sponsor the Office of Planning and the Historic Preservation Office of a full-day seminar devoted to historic preservation. This event will take place on March 10, 2004. There will be a panel of real estate licensees discussing preservation issues in the residential market but many other important preservation issues will be discussed. Through your contributions to the Guaranty Fund, the board will be underwriting the cost for DC licensees and we plan to offer six hours of CE credits. For more information, contact the Historic Office on (202) 442-8801.

Finally, no voluntary board could succeed and achieve anything without a capable and enthusiastic staff. Our thanks go out to Leon Lewis, program liaison; Schanolia Barnes, education specialist; Stephanie Johnston, clerical assistant, Sinclair Long, staff attorney; Wilfred Usher, investigator; Patricia Hill, investigator, and Jason Leifer, contract attorney. ■

The Commentator

Mar 2004, Volume 12, Issues 1 - Page 2

Board Co-Sponsors 2004 Citywide Preservation Seminar on March 10

The DC Board of Real Estate is working jointly with the DC Office of Historic Preservation on two major projects that will benefit DC real estate licensees. Both projects relate to the buying and selling of properties listed on the District of Columbia's Inventory of Historic Sites.

On March 10, 2004, **Board Chairperson Constance W. Maffin** will be the session manager for the *Marketing Historic District/Properties – A Strategy for Homeowners* portion of a seminar offered by the Historic Preservation Office. The seminar will be held at the True Reformer Building, 1200 U Street, NW. The one-day seminar is part of a measure to ensure that prospective buyers of DC properties are informed of the laws and responsibilities that go along with owning a historic property prior to its purchase.

Specifically, Chairperson Maffin will manage the session that discusses what selling points realtors use to sell historic homes or houses located in historic district. The session will also discuss how the location of the historic district changes the realtor's pitch.

With the second project, Chairperson Maffin put the Historic Preservation Office in touch with the producers of the MRIS. In the near future, real estate licensees with access to MRIS will be able to list and find District of Columbia properties by historic district.

More than 23,000 buildings and sites in Washington DC are currently located within the city's 25 *historic districts* or are listed as *historic landmarks*. These places are granted official recognition and special protection by the city for their contribution to the cultural and aesthetic heritage of the nation's capital. The DC Preservation Law protects these properties by requiring that permit applications involving a listed property or its site be reviewed for historic compatibility prior to issuance.

For owners of listed historic properties, this means that applications for new construction, exterior alteration or repair, demolition, or subdivision of land must be re-viewed and approved by the Historic Preservation Office before any work may begin, including the replacement and repairs of windows and front doors.

Knowing if a property is located in a historical district is particularly important during renovations because certain historical standards must be followed. To find out if a property falls within the boundaries of an historical district, contact the Historic Preservation Office at (202) 442-8818.

The **National Trust** is a private, nonprofit membership organization dedicated to protecting the irreplaceable. Recipient of the Humanities medal, the National Trust provides leadership, education and advocacy to save America's diverse historic places and revitalizes communities.

The **DC Historic Preservation Office** protects, and enhances the historic properties and archaeological resources that are significant to local communities, the District of Columbia, and the nation. ■

Education Update

Board to Hold Free Training for Licensees

DC brokers, property managers and salesperson licensees: Mark their calendars for the free licensee training, which begins in March and continues through December 2004 (recess July and Aug). The Board of Real Estate will conduct the training at 941 North Capitol Street, NE, in the 7th Floor ABC Conference Room. Registration begins at 9:00am. Each three-hour training begins promptly at 9:30am –12:30pm (five-minute grace period only). Certificates will be issued upon successful completion of each course. E-mail your pre-registration to stephanie.johnston@dc.gov. Please speak clearly. E-mail and phone pre-registrations must contain: 1) your full name as it appears on your DC real estate license; 2) your DC real estate license number; 3) broker company name, 4) current day phone number; 5) course title and dates you request. You must give 5 days notice if you will not attend the course. Classes may be cancelled due to low pre-registration. You will receive e-mail confirmation. If you do not receive e-mail confirmation, contact Ms. Johnston on 202 / 442-4340.

March 18 – DC Fair Housing

April 20 – DC Leg Update

May 18 – (DC) Environmental Issues

Government of the District of Columbia

Anthony Williams, Mayor

June 16 – DC Fair Housing

July and Aug – recess

Sept 21 – DC Leg Update

Oct 19 – (DC) Environmental Issues

Nov 16 – DC Fair Housing

Dec 7 – DC Leg Update ■

Department of Consumer and Regulatory Affairs

Dave Clark, Director

Education Update

Approved DC Real Estate Continuing Education Schools

The DC Board of Real Estate approved the following schools for the 2003-2005 cycle to offer instruction for continuing education courses through the new CE Banking system. Licensees can take courses only approved by DC Board. All providers must be registered with the DC Board to offer elective and mandated courses to DC licensees. This list is updated regularly, based on a provider's application to the Board. This list is available on-line (<http://www.promissor.com>).

- **ALU-NIMA**(301)656-6462 (provider #148) Approved for both DC mandated and general electives.
- **AOBA**(202)296-3390 (provider #113) Approved for DC Fair Housing and general electives.
- **BOMA**(202)326-6322 (provider #135) Approved for general electives.
- **BOMI Institute**(410)974-1410 (provider # 151) Approved for general electives.
- **CCIM**(312)321-4473 (provider #134) Approved for general electives.
- **DCBIA**(202)966-8665 (provider #117) Approved for general electives.
- **DC Board of Real Estate**(202)442-4340 (provider #147) Approved for both DC mandated and general electives.
- **Equal Rights Center**(202)234-3062 (provider #138) Approved for DC Fair Housing.
- **Frederick Academy of Real Estate**(800)854-0950 (provider #130) Approved for general electives.
- **GCAAR**(301)590-2000 (provider #105) Approved for both DC mandated and general electives.
- **George S Hall Inc**(202)216-0334 (provider #133) Approved for general electives.
- **Henderson Professional Development Seminars**(202)347-7022 (provider #124) Approved for both DC mandated and general electives.
- **Kirks' Institute for Advanced Real Estate Studies**(703)351-5041 (provider #126) Approved for both DC mandated and general electives.
- **Long and Foster Institute of Real Estate**(301)417-7100 (provider #127) Approved for both DC mandated and general electives.
- **Lorman Business Education Center**(715)833-3940 (provider #125) Approved for general electives.
- **Maryland Center for Real Estate Advancement**(301)984-0166 (provider #106) Approved for both DC mandated and general electives.
- **Maryland School of Real Estate**(301) 309-8922 Approved for general electives.
- **NAR**(312)329-8886 (provider #108) Approved for general electives only.
- **NVAR**(703)207-3260 (provider #129) Approved for general electives only.
- **PGCAR**(301)306-7900 (provider #111) Approved for both DC Fair Housing and general electives.
- **Professional Development Institute**(301)949-1771 (provider #120) Approved for both DC mandated and general electives.
- **Property Management Association** (301)657-9200 (provider #132) Approved for general electives.
- **Real Estate Institute** (410) 819-0100 (provider #112) Approved for both DC mandated and general electives.
- **SIOR –Soc of Industrial and Office Realtors**(202) 449-8200 (provider #145) Approved for general electives. ■

The following schools are not approved for the 2003-2005 cycle. They were approved in previous cycles:

- | | |
|-----------------------------------|--|
| 1. Academy of Real Estate Studies | 4. Potomac School of Real Estate |
| 2. Ed Smith School of Real Estate | 5. Prince George's Community College ■ |
| 3. Moseley | |

The Commentator

Mar 2004, Volume 12, Issues 1 - Page 4

♥ Legal Update

Legal Board Actions

Eduardo Potillo. By final order, respondent's salesperson's license was revoked for substantial misrepresentation in violation of DC Code, 2001 Ed. § 47-2853.197(1), and for a continued and flagrant course of misrepresentation in violation of DC Code, Ed. § 47-2853.197(3). Additionally, licensee violated provisions of D.C. Code, 2001 Ed. § 47-2853.197(15).

Ralph A. Cusick, III (salesperson). By consent order, the board imposed a fine of \$2,500 for violation of DC Code Section 47-2853.173 for operating as a real estate salesperson when unlicensed.

John S. Nemeyer (salesperson). By consent order, the board imposed a fine of \$2,500 for violation of DC Code Section 47-2853.173 for operating as a real estate salesperson when unlicensed.

Randall H. Hagner & Company, Inc. (broker). By consent order, the board imposed a fine of \$2,500 for aiding and abetting the unlicensed activities of a salesperson.

John A. Sargent (broker). By consent order, the board imposed a fine of \$2,500 for aiding and abetting the unlicensed activities of a salesperson.

Alease Bowles. By consent order, the board imposed a fine of \$2,500 for violation of DC Code Section 47-2853.173 for operating as a real estate salesperson when unlicensed.

Patricia Makin. By consent order, the board imposed a fine of \$2,500 for violation of DC Code Section 47-2853.173 for operating as a real estate salesperson when unlicensed.

Vernada Williams. By consent order, the board imposed a fine of \$5,000 for aiding and abetting the unlicensed activities of salespersons.

Wyvill Management, Inc. By consent order, the board imposed a fine of \$2,500 for aiding and abetting the unlicensed activities of a salesperson.

Wayne Wyvill. By consent order, the board imposed a fine of \$2,500 for aiding and abetting the unlicensed activities of a salesperson.

Remax Capital Realtors, Inc. By consent order, the board imposed a fine of \$2,500 for aiding and abetting the unlicensed activities of a salesperson.

Charles Bengel. By consent order, the board imposed a fine of \$2,500 for aiding and abetting the unlicensed activities of a salesperson.

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📧 We Need Your E-mail Address!

Send us your e-mail address for our database. The DC Board of Real Estate is continuing to collect the e-mail address of all currently licensed DC real estate agents, as well as licensees on Paid Inactive. Send your new or changed e-mail address to schanolia.barnes@dc.gov. Office managers: Please pass along this newsletter to your DC licensees and encourage them to submit their e-mail addresses. The board uses the database to send out quick notices, legal announcements, and newsletters. Don't forget to let us know if you've changed your e-mail address too. ■

📅 Calendar Events

- ✓ **DC Board of Real Estate co-sponsors Building Futures: Housing Design and Development in Washington, DC :** March 10, 2004 : Registration limited. Call 442-8801 or e-mail kimberly.fairall@dc.gov
- ✓ **Equal Rights Fair Housing Symposium :** April 20, 2004 :To register, visit: www.equalrightscenter.org
- ✓ **NFBPA Annual Convention :** April 3-7, 2004 : Loew's Philadelphia Hotel (www.nfbpa.org)
- ✓ **ARELLO Midyear:** April 22-24, 2004 : Omaha, NB; **Annual:** Oct 2-4, Pittsburgh, PA (www.arello.org)
- ✓ **NAR Midyear Convention :** May 10-15, 2004 : DC Marriott Wardman Park Hotel (www.realtor.org)
- ✓ **REEA Annual Conference :** June 20-23, 2004 : San Antonio, TX (www.reea.org)
- ✓ **SIOR Spring Convent. :** May 13-16, 2004:Scottsdale, AZ; **Fall:** Nov 4-6, Baltimore, MD (www.sior.com)
- ✓ **Women's Council of Realtors Midyear:** May 13-16, 2004 – Capitol Hilton (www.wcr.org)

Government of the District of Columbia
Anthony Williams, Mayor

Department of Consumer and Regulatory Affairs
Dave Clark, Director

📌 Interesting Web Links

www.dcre.dc.gov -- **DC Board of Real Estate (licensing board)**
www.planning.dc.gov -- **DC Planning Office – (includes Historic Office)**
www.ashi.com – **American Society of Home Inspectors**
www.boma.org – **Building Owners and Managers Association**
www.ccim.com – **Commercial Investment Real Estate Institute**
www.cre.org – **Counselors of Real Estate**
www.federalreserve.gov – **Federal Reserve Board**
www.freddiemac.com – **Freddie Mac**
www.ginniemae.com – **Ginnie Mae**
www.hud.gov/fha/fhahome.html – **US Department of Housing and Urban Development:
Office of Housing**
www.equalrightscenter.org – **DC Equal Rights Center** ■

DC Board of Real Estate

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The District of Columbia Real Estate Board regulates the licensure of real estate brokers, property managers, and salespersons. The office is located at 941 North Capitol Street, NE, 7th Floor, Washington, DC 20002. (202) 442-4340-office; 442-4528-fax. This newsletter and licensee training are funded through payments made to the DC Real Estate Guaranty and Education Fund.